1 2 3 4 5 UNITED STATES DISTRICT COURT 6 WESTERN DISTRICT OF WASHINGTON AT SEATTLE 7 SMARTSHEET, INC., No. 2:22-cv-00314-SKV 8 Plaintiff. NOTICE OF DISMISSAL OF OLD 9 REPUBLIC INSURANCE COMPANY WITHOUT PREJUDICE PURSUANT TO VS. 10 FRCP 41(a)(1)(A)(i)FEDERAL INSURANCE COMPANY, et al. 11 Defendants. 12 Plaintiff Smartsheet, Inc. hereby files this notice of dismissal of Defendant Old Republic 13 14 Insurance Company, without prejudice, pursuant to Federal Rule of Civil Procedure 15 41(a)(1)(A)(i). 16 DATED: April 28, 2022 17 MILLER NASH MILLER FRIEL PLLC 18 By: <u>s/K. Michael Fandel</u> By: s/ Bernard P. Bell K. Michael Fandel, WSBA No. 16281 Bernard P. Bell (admitted *Pro Hac Vice*) 19 Pier 70 – 2801 Alaskan Way, Suite 300 By: s/Benjamin W. Massarsky Benjamin W. Massarsky (admitted Pro Hac 20 Seattle, WA 98121 Tel: (206) 624-8300 Vice) 21 Fax: (206) 340-9599 2445 M Street NW, Suite 910 Email: Michael.Fandel@millernash.com Washington, DC 20037 22 Tel: (202) 760-3160 Attorney for Plaintiff Smartsheet, Inc. Email: bellb@millerfriel.com 23 massarskyb@millerfriel.com 24 Attorneys for Plaintiff Smartsheet, Inc. 25 26 1 344696.2

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## **DECLARATION OF SERVICE**

I, Jennifer L. Schnarr, hereby declare under penalty of perjury under the laws of the state of Washington and of the United States that I caused the foregoing to be filed using the CM/ECF system, which will send notice of the same to all registered users.

EXECUTED in Burien, Washington on this 28th day of April, 2022.

Jennifer L. Schnarr, Legal Assistant